

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Application Division  
Michael GARABEDIAN ) **ATTN: BOX MISSING PARTS**  
Serial No.: 10/629,913 ) Washington, D.C.  
Filing Date: July 30, 2003 ) Confirmation No. 8615  
For: ANTIBODIES THAT RECOGNIZE AND BIND... ) July 28, 2004

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION  
FILED UNDER 37 CFR 1.53(b)

Mail Dtop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION..." dated June 10, 2004. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date, and priority information.  
[ ] Application Data Sheet.  
[ ] Preliminary Amendment. [ ] Fees are reduced due to elimination of claim multi-dependencies  
[ ] A certified copy of priority document no. \_\_\_\_\_, filed \_\_\_\_\_ Priority is claimed.  
[ ] An Information Disclosure Statement with 08A-1449 and \_\_\_\_\_ references.  
[XX] Total fees in the amount of: \$ 450.00.  
The filing fee is calculated below:

	(Col. 1)	(Col. 2)	SMALL ENTITY			OTHER THAN SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$385.00	OR		\$00
TOTAL CLAIMS		0	X 9 =	\$00		X 18 =	\$
INDEP. CLAIMS		0	X 43 =	\$00		X 86 =	\$
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED			+ 145 =	\$00		+ 290 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2			TOTAL	\$385.00		TOTAL	\$

- [XX] Late filing of Declaration surcharge in the amount of:  
Small Entity [XX] \$65.00 Other than Small Entity [ ] \$130.00  
[XX] Applicant claims small entity status. See 37 CFR 1.27.  
[ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).

The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity  
Response Filed Within

- [ ] First - \$ 55.00  
[ ] Second - \$ 210.00  
[ ] Third - \$ 475.00  
[ ] Fourth - \$ 740.00  
[ ] Fifth - \$1,005.00

Month After Time Period Set

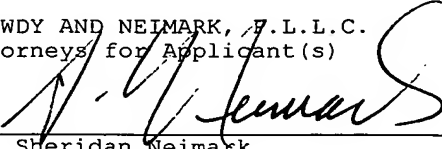
Other Than Small Entity  
Response Filed Within

- [ ] First - \$ 110.00  
[ ] Second - \$ 420.00  
[ ] Third - \$ 950.00  
[ ] Fourth - \$1,480.00  
[ ] Fifth - \$2,010.00

Month After Time Period Set

- [XX] Conditional Petition for Extension of Time:  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.  
[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$450.00 is enclosed to cover the fees.  
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:   
Sheridan Neimark  
Registration No. 20,520

SN:ses

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July 28, 2004

Dr. Sadhana Chitale  
NYU School of Medicine  
650 First Avenue, 6<sup>th</sup> Floor  
New York, New York 10016

Re: Michael GARABEDIAN et al - Appln. No.10/629,913  
ANTIBODIES THAT RECOGNIZE AND BIND PHOSPHORYLATED...  
Your reference: GAR01-02US  
Our reference: GARABEDIAN2A

Dear Dr. Chitale:

Thank you for your letter of August 14, 2003, forwarding the executed declaration. In response to the Notice to File Missing Parts dated June 10, 2004, we filed the declaration as well as the filing fees in the U.S. Patent and Trademark Office on July 28, 2004.

Please send copies of any potentially material prior art references of which you may be or become aware including those mentioned in the specification or discovered in any search so that we may prepare and file an Information Disclosure Statement (IDS). To avoid the payment of a late fee, the IDS must be filed before the mailing of a first official action on the merits or three months from the discovery of the newly-discovered material information. Please also be reminded that it is necessary (1) to submit copies of all citations, and (2) if such copies are not in the English language, to submit an English language equivalent or a translation of the pertinent portions (or at least an English language abstract), or provide a concise explanation of the contents of any such foreign reference (e.g., a foreign country search report).

Copies of papers as filed are enclosed.

Sincerely,

Sheridan Neimark

SN:ses  
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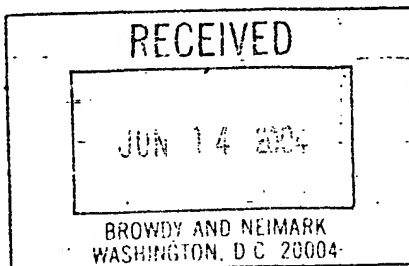


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/629,913	07/30/2003	Michael Garabedian	GARABEDIAN=2A

BROWDY AND NEIMARK, P.L.L.C.  
 624 Ninth Street, N.W.  
 Washington, DC 20001



CONFIRMATION NO. 8615

## FORMALITIES LETTER



\*OC000000012906385\*

Date Mailed: 06/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

MSD: 10AU2004.

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$450** for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

07/29/2004 BSAYAS11 00000007 10629913

01 FC:2001  
 02 FC:2051

385.00 0P  
 65.00 0P

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY